JAPAN, HER AIMS AND ART.

THOMAS E. KIRBY TALKS OF HIS VISIT TO THE EMPIRE.

Friendliness to This Country - What Their Artists and Artisans Are Doing. Themas E Kirby of the American Art Association, who has just returned from a visit to Japan, remarked in a chat with some friends the other day that when he got to the Island kingdom he found himself among some interesting friends who knew us and liked us. Mr. Kirby's observations among the Japanese gave him not only the impression but the conviction that the opinions expressed by some distinguished returned travellers and promulgated by some foreign papers, that in reality Japan is drawing closer to China all the while and will eventually be found allied with her in opposition to Western aggression in the Orient, are without substance. In official circles and among private citizens, in the commercial cities and in less travelled places, the general sentiment developed itself in the same key, Mr. Kirby said, and was altogether one of friendliness to the United States and of desire to back up the position that this country has taken toward Oriental affairs. Friendliness toward the United States and the general belligerent feeling toward Russia which pervaded all classes and threw itself forward at every turn were the chief characteristics of the people which impressed him, outside of the alluring pursuits

They know all about us, they welcome us and they like us, in Japan," Mr. Kirby said. They are with us and want the United States, England and Japan to pull together. In that course they see the solution of the Far Eastern question. But the first thing they want to do is to lick Russia. They don't talk about fighting her; they expect to whip her. They feel very sore about the Port Arthur affair. They talk of a war with Russia as sure to come and they seem to anticipate going right on as successfully with it as they did against the Chinese. All classes are speaking of it, from men office and high in the country's councils to hotel servants and the peaceful dwellers to more remote places. For one thing, all seem to want the war as well as believing that it is bound to come. For another thing, the Emperor's word is of course absolute; nobody thinks of disobeying him, and he wants to use his army to administer to Russia the punishment he thinks she deserves. The Emperor is very proud of his army, more so even than of his navy; he gives his personal attention to its development, looking constantly for ways to improve it and to bring it up to the highest point of perfection.

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"The army of Japan is a fine body of men, too. One could not help but admire the regiments and sympathize with the pride the officers take in them. There are 80,000 men in the army ready to be thrown right into China, to go right ahead alone, on her own hook, if she is not interfered with, and she will go on alone, as she is doing now. She knows what Russia is after and she does not intend that Russia shall be ahead of lines. what Russia is after and she does not intend that Russia shall be ahead of her. As fast as the ralifoad allowed her to do so Russia advanced troops: Japan knows that she will continue to do so and Japan will meet her. "It is the wish of the Japanese that the United States, England and Japan shall be found together. They like the people of England and of this country, the Americans and their ways a little better. I gathered from authority that may be considered excellent that in Government circles it has been understood. thortty that may be considered excellent that in Government circles it has been understood tactily that, in regard to the general Eastern situation, Japan would go ahead in harmony with the United States, that she was satisfied with our stand regarding it and would back up whatever we did, and that the feeling was that England would be found at the right time with both of us.

was that England would be found at the right time with both of us.

"The men of affairs know our cities and was the record and they admire him. The head of an important public body said to me: You will elect President McKinley again in the United States. You are not fools. You are going to reelect him and to continue on the course the country has taken."

Mr. Kirky went to the East with the expectations of the course the country to the East with the expectation. Mr. Kirby went to the East with the expectation of touring in both China and Japan, but planned to go to China last. The disturbances there came on so rapidly that he did not get to that country at all, and he found himself with more time to look about Japan and to talk with some of her arrists. At Kioto he met again Mr. J. Kawashima, the greatest master of the art of weaving in the Empire, who was in this country, where he had an exhibition that many people will remember, in 1893. Kawashima, who makes most of the fine fabrics for the Imperial household, had in hand a magnificent robe which he was making for the Emperor, on which he had already been at work for three years. So patiently do the Japanese artists still work on their cherished creations. When Kawashima was in New York seven years ago he made a copy of Melin's painting, "in Full Cry," a picture of the chase, as its title implies, with the purpose of reproducing it in targestry. It was his intention to send the tapestry to Europe or to this country. Mr. Kirby asked him what he had done with it, and learned that the tapestry had been purchased for the Imperial household as soon as it was finished, and that it is now at the Paris Exposition, having been loaned by the Emperor for exhibition.

One of the most interesting meetings of which Ir. Kirby went to the East with the expec-

Exposition, having been loaned by the Emperor for exhibition.

One of the most interesting meetings of which Mr. Kirby has been induced to tell some of his friends was that with Makudza Kozan, at Yokohama. Makudza porcelains are familiar to a great many people here to whom it will be news when THE SUN tells them that the first piece of this porcelain sold in the United States was sold by Mr. Kirby. The accomplished potter took Mr. Kirby to his workshop where the white porcelains with their decorations of mandaria ducks and flowers done in colors are made, and lovers of the Oriental spirit in art may imagine the feelings of the American visitor when he saw there a Japanese decorator copying upon one of Makudza's paste-forms the ornamentations of a Dresden vase which stood on a low table before him.

"There was illustrated just one of the unfort-unate features of the disposition of the Japan-ese artists and artisans of to-day." Mr. Kirby remarked: 'they have grown somewhat tired of doing cranes and mandarin ducks and chrysan-themums and when they see the wholly dif-ferent forms of decoration employed by the western peoples they are likely to be carried away with them and to think that it will be a nice thing to do similar work, even without the com-mercial idea of so finding a better market. Think of a Makudza vase with a Dresden dec-oration." But it is the same way with some cration. But it is the same way with some of their silversmiths and others. No one can approach the exquisiteness of the Japanese worker in silver when he confines himself to worker in silver when he confines himself to his native forms, but it is deplorable when such an artist gives up the wistaria, morning glory or chrysanthemum, for instance, for the rose. He becomes ponderous. He sets out to make a teapot, and he makes it so heavy that a woman does not want to lift it, and he fails in his art, too, "I said something of this nature to Makudza, telling him my feelings in the matter and pointing out so far as might be the disadvantages of the effort to imitate the European instead of developing his own art, and I was gratified when Makudza said that he thought that in future he would have his men confine themselves to the native forms.

the native forms.
"One of the things that struck me in going "One of the things that struck me in going through the workshops of the Japanese artists was the number of boys employed. Boys of 19 years or thereabouts were put at decorating fine vases or doing the initial work on fine ivery carvings, the finishing being done by the artist himself, of course, or the whole work overseen and directed by him. To be sure, the older artists had boys, too, at this work, just as the sculptors to-day set young men to do certain parts of the work on their statues.

"Outside Makudza's place was a garden with flowers growing, and in a pond mandarin ducks and, nearby, cranes, all there for the decorators of the porcelains to look upon and copy from nature; there was no drawing from stereotyped designs. If flowers were to be drawn a vase of flowers stood before the decorator, as in this picture here," (exhibiting one of the marvellously well-colored photographs made by the Japanese).

The Japanese potters are imitating (as are others) the Chinese sang de bour, but as even the modern Celesials are unable to produce

The Japanese potters are imitating (as are others) the Chirese sang de bauf, but as even the modern Celestials are unable to produce she ox-blood red of the ancient artists of their land it is not surprising that their Japanese neighbors fall short, as Mr. Kirby was bound, as others have been bound, to confess that they did, when their work was shown him.

Many people of New York and elsewhere have heard Mr. Kirby say, when in the auctioneer's box at the American Art Galleries, that there were no more of the finest specimens of antique Oriental art to be had, except as some other private collection than the one then in hand might come under the hammer. Some of these many people, it may be said without affront to the genial dispenser of art treasures, have taken his words at a complimentary discount, although they would be unable to show duplicates of the treasures or purchasable conjugators of these

He Says That the Japanese Consider a War With Russia as Almost Inevitable-Their

there are the local collectors to take them. Then there are the museums. Then the diplomatic officers, like the missionaries, sconer or later develop a taste for and knowledge of the works of art of the Orientals and become to agreater or less extent handlers of this merchandise. But even leaving these all out of consideration the nations themselves find that it is too late to secure the finest examples except under rarely favorable circumstances. In one way and another the pieces have gone from the lands. In the matter of lacquers, for instance, I did not see in all Japan, in either the public museums or private collections, a collection equalling that of Mr. William Churchill Oastler, which was sold here last season.

And when a particularly fine specimen was to be had the price put on it was one that would have frightened a Western collector. I saw one Korin box (black lacquer with mother-ofpearl inlay) that was held at a thousand yen (\$500). a price at which Western collectors would have stood ashast, generally speaking, and which would have brought not over \$200 or \$300 at publicasle. The museums of the Japanese are without the best specimens, and the exhibits they have are not disposed to the best advantage, this largely because the administrations of the museums are of political origin. Even in the workshops the pieces were not arranged to the best advantage. Among the porcelain shops Makudza's was an exception to this general condition.

Mr. Kirby's well-known natural cheerfulness prevents him from deploring the fortune that kept him out of China—in some ways a most kindly fortune—but collectors may guess at his feelings at the thought of the things which will come from China as a result of the upheavals there. Consolation to all comes in the thought that, after all it will be bronzes rather than porcelains which survive the period of storm.

SOCIAL EVENTS AT NEWPORT. Mrs. Ogden Goelet Entertains -Mr. Van Alen Gives a Garden Party.

NEWPORT, R. I., Aug. 4.-There were several society events to-day of importance, it probably being the busiest day that the summer colony has had this season. There was somewhat of a thinning out by the several men who left on the yachts to join the New York Yacht Club's cruise, yet there were enough left in Newport to make matters gay. The first event of a social nature was the gathering of a number of matrons at "Ochre Court," where Mrs. Ogden Goelet entertained at luncheon It was not an elaborate affair, but was the beginning of a series of entertainments. It was the first time that her palatial villa has been the scene of any large gathering since the death of Mr. Goelet.

This afternoon "Wakehurst" and its surrounding grounds was the scene of festivities when the master of the estate, Mr. James J. Van Alen, entertained at a garden party. It was a big affair, and was given in honor of his daughters. Elaborate preparations had been made for the event, and there was everything to be had at an out-door affair. A large tent was placed on the lawn in which the dancing was held, the music being furnished by an orchestra and band. Refreshment tents were placed at various places on the lawn, and it proved a great success socially. The attendance was very large, nearly all of the fashionable set being present.

This evening Mrs. Isaac Bell. Jr., gave a large dinner at Bellevue Lodge. Her guests, who numbered seventy-two were seated at five tables. Following the dinner others of the cottage colony came in to a dance in Ber-Van Alen, entertained at a garden party. It

the army ready to be thrown right into China, and they will make splendid soldlers for that tountry, all of them finely developed physically and of great endurance, men like a jinch one day, for instance, men well suited for a constance in the mountainous part of China if the fighting gets up there. And Japan is ready of gor right ahead alone, on her own hook, of she is not interfered with, and she will go an alone, as she is doing now. She knows that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia is after and she does not intend that Russia shall be alead of her. As fast is the railroad allowed her to do so Russia dvanced troops; Japan knows that she will ontinue to do so and Japan shall be found ogether. They like the people of England and of this country, the Americans and their tays a little better. I gathered from au-

POLITICIANS UP AGAINST "INTOX." Would-Be Tammany Leader and Downtown Third Ticket Orator Both Fined.

man who said he was John O'Brien, the candidate for the Tammany leadership of the Thirteenth Assembly district against Peter J. Dooling, was arraigned in the West Side court yesterday morning, charged with being drunk and disorderly at Thirty-eighth street and Eighth avenue on Friday night. Policeman Coutant, who arrested him, said that he had led O'Brien home once and told him to stay row, threatening to "tear the cop's buttone off.

row, threatening to "tear the cop's buttons off."
Then he was arrested.
"This is all a game of politics," said O'Brien
to Magistrate Cornell. "I have been fighting
for the leadership of the district for two years
and I can't go out on the street without being
jeered at. It's all a game of politics."
"There's no game of politics here," said Magistrate Cornell, as he ordered O'Brien to pay a
fine of \$5.
O'Brien paid the fine.

frace Cornell, as no ordered O'Brien to pay a fine of \$5.

O'Brien paid the fine.

Eugene Shav of 248 Elm street, who says he is a "third ticket and Cirizens' Union" man, was in the Yorkville police court yesterday, charged with intexication. Policeman Brockerhoff found him on Friday evening helding an impromptu politi al meeting in Thirteenth street near Third avenue. Two thousand persons surrounded the orator, who spoke mounted on an empty box.

"We must down Tammany Hall." shouted Shay. "I' wish I could get one rap at Dick Croker."

Croker."
Then Brockerhoff, who greatly admires
Martin Engel, arrested Shay and dispersed the meeting.
"I will fine you \$3 for downing Tammany
Hail," said Magistrate Brann, without even the
suggestion of a smile. Shay was unable to pay
his fine.

DYING IN POVERTY.

The Once Beautiful Wife of Lew Benedict, the Minstrel. Picked Up to the Street in Troy.

TROY, N. Y., Aug. 4 .-- A woman bent with age and emaciated by hunger was picked up in the street last night by Policeman Koonan and brought to the Second precinct police station. She proved to be Mrs. Frances Benedict, a former wife of Lew Benedict, who in the height of his success as a minstrel made men laugh from one end of the land to the other. Mrs. Benedict was Fannie Mearns, one of the prettiest girls in Troy in her youthful days, and was greatly admired. She went to New York, where she led a fast life and for a time was one of the most prominent of the demi-

was one of the most prominent of the demimonde. She passed her summers at Saratoga,
where she was noted for her magnificent collections of diamonds and her gorgeous equipages. Her summer home was the scene of
many fashionable functions which gained her
widespread notoriety.

At one of these events she met Benedict and
they were shortly afterward married. Mrs.
Benedict's generosity and charitable donations
greatly reduced her possessions and those of
her husband, until one day Benedict left her
at the Stanwix Hotel, Albany, and never returned. Several years later he procured a
divorce on the ground of desertion. From
that moment her position of splendor rapidily
changed to one of poverty. Recently she has
been residing in a small attic room in one of the
poorest sections of the city and eking out an
existence by going out washing. At the fail
it was found that her system is completely undermined by lack of food and that her stay on
earth will probably be brief.

He's an Escaped Circus Animal and the Peo ple Are Half Scared to Death.

HARTFORD, Conn., Aug. 4 .- Everybody in Colchester is hunting for the big bear which has been creating terror there for three days. The bear is evidently one which has escaped from some circus, for he has a chain dangling after him and has given evidence that he has been trained. He waltzed into a party of berry pickers on the farm of J. E. Hall, the other day, on his hind lears and with a most amiable expression on his face, but the berry pickers didn't wait to make his closer acquaintance. Some of the fastest sprinting that has ever been done in Colchester immediately resulted. The animal has appeared in several doorvards and he appears to be more interested in picking up something ordinary to eat than in devouring any human beings. An organized bear hunt with several sportsmen from Hartford and Middletown is being arranged for Sunday and an effort will be made to either capture or kill him. People are afraid to leave their houses after dark except in the centre of the village. The bear is evidently one which has escaped

Miss Pomeroy Engaged to J. S. Jenkins.

STAMFORD, Conn., Aug. 4 .- The engagement was announced to-day of James S. Jenkins and Miss A. Gladys Pomeroy, daughter of Mr. and

NOTES OF LEGAL EVENTS.

In view of the opinion of the Court of Appeals in the case of Edward Wise, we are not surprised that Gov. Roosevelt has commuted the death sentence against the defendant to imprisonment for life. Under the Penal Code of this State an intent to cause death is not essential to constitute the highest degree of felonious homicide, but murder in the first degree may be committed without a design to effect death, where the killing is done "by a person engaged in the commission of, or in an attempt to commit, a felony either upon or affecting the person killed or otherwise." Wise was charged with having attempted with an associate to rob a man named Beasley in East Twenty-ninth street in the night time. The evidence indicated that one of the robbers struck Beasley with a stone or some weapon on the back of the head, inflicting a wound from which the victim died. "It may be," says Judge Haight, writing for a majority of the Court of Appeals, "that the evidence as to the cause of the injury is somewhat meagre, but we think it sufficient to carry the case to the jury and that it justifies the verdict rendered. There was no claim on the part of the prosecution that the killing was intentional; it was enough if the proof showed a robbery resulting in the death of the person assaulted. Judge Martin of the Court of Appeals dissented from the decision of his associates, however, and this fact was doubtless influential with the Governor, especially when considered in con-nection with Judge Haight's language concerning the meagreness of the evidence.

In this State, and we presume throughout the Union generally, the property of the Roman Catholic Church is held by individual Bishops or priests or other officers of the Church instead of having the title vested in religious corporations. Under our tax law, "property held by an officer of a religious denomination shall be entitled to the same exemptions, subject to the same conditions and exceptions as property held by a religious corporation." Illinois the question has recently arisen whether the playground of a free Roman Catholie school at Peoria is relieved from taxation under a statute exempting "all property of institutions of learning, including the real estate on which the institutions are located, not leased by such institutiods or otherwise used with a view to profit." The legal title is in John L. Spalding as Catholic Bishop of Peoria, for the use of the congregation of St. Columba's parish in the city of Ottawa. Being held in trust for a parish instead of being held for the scholastic institution itself, the Supreme Court of Illinois decides that the playground must pay a tax. The distinction seems rather fine.

The old controversy as to whether a Coroner should be a medical man or a lawyer has been revived in England by the chief surgeon of the Liverpool police, who has published a pamphlet on the subject entitled "Reasons Why the Office of Coroner Should be Held by a Member of the Medical Profession." Thomas Wakley. the founder of the Lancet and himself a Coroner who really achieved distinction by the ability with which he administered the office, was of the opinion that a medical training was far more important to a Coroner than a knowledge of the law, and declared that the requisite acquaintance with the forms of legal procedure could be acquired in a day. In support of this position reference is usually made to an inquest before him where the deceased was supposed to have been the victim of a fight, but an examination made at Mr. Wakley's suggestion led to the discovery that a plece of meat had lodged in the man's throat and choked him to death. The Lancet of the present day truly observes that the ideal Coroner would be a person trained both as a lawyer and a medical

A Coroner should certainly be a physician and surgeon, rather than a member of the bar, if his functions are confined to the ascertainment by his own personal observations and examination of the cause of death. The medical examiners in Massachusetts, who have taken the place of Coroners in that Commonwealth, are officers of this sort. On the other hand, if the Coroner is to conduct a legal inv into the cause of death by means of the examination of medical and other witnesses, and without acting upon his own expert knowledge. there would seem to be every reason why such an inquiry, like any other judicial proceeding, should be made under the direction of Magistrates trained in the law. George Eliot in Middlemarch" Illustrates the view which has long prevailed among doctors in England in reference to this matter, where she makes Lydgate say: "Questions of medical jurisprudence ought not to be left to the chance of decent knowledge in a medical witness and the Coroner ought not to be a man who will believe that strychnine will destroy the coats of the stomach if an ignorant practitioner happens to tell him so."

In most of the States in which laws have been enacted permitting accused persons in criminal cases to testify in their own behalf the enabling statute provides in substance that the failure of the defendant to avail himself of the privilege shall not operate to his detriment; and there is in many of the acts an express prohibition against any comment by prosecuting counsel upon the fact that the prisoner has not seen fit to take the stand. In New Jersey, however, the statute on this subject contains no declaration that the defendant's omission to testify shall not raise any presumption against him, nor anything which forbids counsel or court from taking notice of his conduct in this respect. Accordingly, it has been held by the Court of Errors and Appeals of that State that a defendant's failure to offer himself as a witness upon the trial of an indictment against him may properly be called to the attention of the jury, where the proof in support of the prosecution relates to matters which must have been within the personal knowledge of the accused, so that he could have contradicted the evidence if it was

An ingenious method of larceny was dislosed in a case tried on the 17th of July, before the County of London Sessions. The place of operations was a dwelling house whose owner was having the front painted. Scaffolding had been erected above the sidewalk and there were ladders leading up to it. The defendant donned the attire of a house painter and while the real workmen were absent during their dinner hour he made his way by means of the ladders and scaffolding into the upper rooms of the house, where he stole two watches, some jewelry and a small sum of money. On his way down the ladder he perceived a man standing at the foot, who was, in fact, a police officer whose suspicions had been excited and sino intended to arrest him. The defendant thereupon alartly reascended and entered one of the windows. Here he encountered a cervant girl, whom he got rid of by informing her that there was a policeman at the front door who wanted to see somebody in the house. While she went to attend to this summons the thief made his escape through the back yard. The trial showed that the defendant had subse-quently perpetrated another theft in the same manner; but, although there was a long list of ermer convictions against him tenced to only twenty-one months' impriso

In an accusation of misconduct made by he District Attorney of Queens county against two attorneys we observe that one of the lawyers bears the same name as that of an attorney who was disbarred a few years ago after being convicted of some criminal offence in Brooklyn. If that man is now practising law, he must have been restored to the roll upon satisfactory proof of his reformation. Apropos of misbehavior by lawyers, we notice that the Supreme Court of Illinois has recently had to deal with the case of a Chicago practidiscount, although they would be unable to show duplicates of the treasures or purchasable equivalents of them.

"My trip showed me that I have been right in my conjectures as to the impossibility of duplicating many of the choice examples of aduplicating many of the choice examples of a Club, the Stamford Yacht Club, the Stamford Yacht Club, the Stamford Yacht Club.

Miss A Gladys Pomeroy, daughter of Mr. and Mr. and Mr. william L. Pomeroy of Richmond Hill. Miss Pomeroy is 18 years old, and came out in society here the last year. Mr. Jenkins is a graduate of Yale and a member of the law firm of Taylor & Jenkins, and is Assistant Prosecuting anywhere, says the Court, "la some distance anywhere, says the Court, "la some distance and Hillandale Golf clubs, the Sandford Yacht Club, the Stamford Yacht Club, the Stamford Yacht Club and Suburban Club.

CASE AGAINST RATHBONE.

CHARGE MAY BE CULPABLE NEGLI-GENCE IN PUBLIC SERVICE. Punishable Under the Spanish Code-Protest

of the Municipality of Havana Against the Decree Extending the Limits of Taxation -The Injunction Against Gen. Wood. Special Cable Despatch to THE SUN. HAVANA, Aug. 4 .- Evidence to prove culpable negligence on the part of ex-Director of Posts

Rathbone is being handed daily to the Judge, who will probably order proceedings to be taken under Sections 402 and 403 of the Spanish Penal Code which refer to the culpability and negligence of persons in the public service. At a meeting of the Municipality of Havans

It was decided to send a petition to President McKinley asking him to order the repeal of the decree empowering municipalities to levy taxes up to certain limits. These limits, it is said. are higher than the previously existing rates of taxation. It is argued that the island already has a surplus from custom receipts and that this money should be apportioned among the municipalities according to population, in this way avoiding increased local taxes on impoverished neighborhoods.

This protest appears strange, coming from the municipal officials elected by the national party whose great cry has been to decentralize municipal government and give the municipalities local autonomy. One Councilman opposed the motion on the ground that as the law was general for the whole island, it was not right for the municipality of Havana to protest, and, further, that if any protest were made, it should be put forward by the taxpayers. He also said that the municipality was not compelled by the decree to levy increased taxes, but was simply empowered to do so at

This attempt on the part of one small body to voice the opinion of the whole island is something very common in Cuban politics. The first act of the present municipality was to propose that the Cuban army should be paid. It is also remembered that attempts have been made from time to time by party conventions in Havana to draw up rules which should bind all branches of each particular party throughout the island. As a matter of fact, rents have risen to such an extent in Havana that house owners are able to pay a far higher proportionate rate of taxation. However, the municipality is not bound to exact the limit of taxation under the decree. All the American troops that are not cor sidered necessary in Pinar del Rio, Havana. and provincial stations, have been ordered to the outskirts.

The injunction secured by Contractor Michael Dady against Governor General Wood on account of certain contracts which have been declared invalid is regarded here as absurd. It is argued that the Attorney-General of the United States has ruled that the Cuban courts had jurisdiction in the case of the murder of an American soldier in Cuba. The same official also ruled that the Cuban courts were supreme in matters affecting Cuba. Besides this the charter will not be adopted by any order of the Governor General, but will be accepted through the free will of the City Council. The proposed charter does not in any way interfere with vested or acquired rights.

HER HOUSE WAS HER CASTLE. Mrs. Janpol Wounds Mortally One of the Men Who Came to Eject Her.

BOSTON, Aug. 4 .- Mrs. Minnie Janpol, the wife of a Hebrew tailor, shot Edward F. Oulnn. an employee of the New England Ejectment Company, through the head this morning when Quinn and two other men were breaking down the door of the Janpol tenement at 75 Allen street. Quinn was taken to the hospital and is not expected to survive. Although the affair occurred at 9:30 o'clock this morning the police did not learn of it until 2 o'clock this afternoon, when Mrs. Janpol was arrested on a charge of assault and battery with intent

this afternoon, when Mrs. Janpol was arrested on a charge of assault and battery with intent to kill.

N. E. Chapman, head of the Ejectment company, Quinn and another man, went to the house to put the Janpol family into the street because they owed one week's rent, \$4. Mrs. Janpol was equal to the occasion. On being told that they could not come in and that they must see Mr. Janpol for the money, the men threatened to break down the door. The woman replied that she would shoot through the panel at the first kick and kept her word. Three shots were fired from a 38-calibre revolver. One of the bullets entering Quinn's skull near the right eye, was deflected downward and lodged in his neck. The attack upon the Janpol household then ceased. At the hospital Quinn's companion said he had been accidentally shot in Charles Bank Park and made no complaint to the police. By accident a policeman heard of the affair and after an investigation, arrested the woman. She admits the shooting and says that she had to defend her home. The police have not discovered as yet any badges or writ of ejectment that would give the men authority to break into the house.

WHY BEVINS KILLED HIMSELF.

Somebody Took His Good Money and Gave Him in Return a \$100 Confederate Bill. John Maloney, the undertaker, was in the Morgue yesterday afternoon when the wife of Arthur Bevins, the English valet who shot himself on Tuesday in Central Park, came in. She was weeping and begged the attendants to tell her some way in which she could save her husband's body from being buried in Potter's Field. Maloney, after listening to her a few minutes, went up to her and said that he would bury her husband in Mount Olivet Cemetery to-day without charge.

While she was in Maloney's shop later in the afternoon Mrs. Bevins explained why her husband had committed suicide. She said that when they came to this country they had English money equivalent to \$170. They got a room at 407 West Twenty-third street. On Monday her husband went some place downtown and exchanged his English money for what he thought was a one-hundred-dollar bill. The next day she went out to buy some groceries with the money and was told that it was a Confederate bill. She returned and told her husband, who rushed out of the house in an Insane manner. She heard later that he had killed himself. She did not know the name or address of the man who had syindled her husband. She will be sent back to England by the British Consul. ants to tell her some way in which she could

CAUSE OF MR. DUNLAP'S DEATH. Form of Ptomaine Poisoning -Had Been in

a Weakened Condition. LONG BRANCH, N. J., Aug. 4.-The sudden death of Robert Dunlap, the New York hatter, at his home at Monmouth Beach yesterday afternoon was a great shock to his many friends. Mr. Dunlap was in New York Wednesday. He had not been feeling well since Tuesday and the trip to New York weakened him. During Wednesday night he was attacked with dysentery and the family became alarmed. Dr. E. A. Ayres was sent for, and Thursday there was a consultation between Dr. Ayres and Dr. Wyeth. The physicians could not attribute the sudden attack to anything Mr. Dunlap had eaten during the day. Mr. Dunlap grew worse, and from 8 o'clock in the morning until the hour of his death he sank rapidly. Br. John A. Wyeth, a close friend of the family, said to-night that Mr. Dunlap's death resulted from heart failure following an attack of cholera morbus. It was this form of ptomaine poisoning and not a direct attack of poisoning, which resulted in his sudden death. Mr. Dunlap had not been enjoying excellent health of late, and his weakened condition was responsible for the suddenness of the end. No autopsy was deemed necessary Mr. Dunlap was in New York Wednesday. He

GEN. DE PEYSTER ON THE EARTH. Methods of the Chemist Contrasted With Thos of the Astronomer.

TO THE EDITOR OF THE SUN-Sir: In THI SUN of last Sunday you published a review at some length of the pamphlet, "The Earth Stands Fast." While appreciating your courtesy in the matter, I would like to point our briefly wherein the real interest and significance in the subject lies.

Astronomy has been a fertile field for "paradoxists," who have advanced the most chimerical fancies in the name of science. The pecu liarity of this pamphlet, however, is that it attempts nothing of this sort, but simply calls attention to the system of a famous astronomer. Tycho Brahe, which takes its place beside the Copernican system-distinct from all others -as being absolutely competent to explain, on mechanical principles known to us, all the astronomical facts ascertained by observation up to the present time. All astronomers concede the truth of this assertion, and this concession is what dignifies the Tychonian system as at least a possible rival of the Copernican I do not know that your review refers to this,

although it is the kernel of the whole matter.

Any reader can satisfy himself that astronomers

concede this competence to the Tychonian sys-

em by referring to the late Prof. R. A. Proctor's

article on "Astronomy" in the Encyclopædia

Britannica, Ninth Edition (Vol. fi., pp. 777-8) There Prof. Proctor declares that "It is not too much to say that Tycho's system is not only fully equal to the Copernican in its fitness to explain the observed relations, but that · · the arguments for the Tychonian system, modified so as to correspond to Kepler's discovery of the shapes of the different orbits, were almost equal in weight to those used by he disciples of Copernicus." And after showing how the Tychonian system explains the movements of the heavenly bodies as competently as does the Copernican system, Prof. Proctor has to guard against creating a prejudice against the dominant system by his concession, and adds: "It is hardly necessary to point out that the arrangement suggested by Copernicus explains the motions of the sun and moon as readily as the [Tychonic] system, which presents both these bodies as moving

around the earth."

Hence, in the language of the pamphlet you have reviewed, "When a modern astronomer, like the late Prof. Proctor, pleads for the Copernican system on the ground that it is the equal of the Tychonic system in capacity to explain observed phonomena, it is plain that the Tychonic system is worthy of pro-found respect, and that any plea in its favor deserves serious attention from unbiased minds." What Proctor concedes as to the Tychonian system no astronomer can refuse to concede, unless willing to expose himself to a complete refutation on simple geometrical principles; for, as Proctor says, the geometrical relations are precisely the same for the two systems. The interest in a reconsideration of Tycho's system at this time is two-told.

First—Tycho's system at this time is two-told, seems to be assumed in the Bible. In these days of scientific negation and "higher criticism" of the Bible the Bible has been subjected to flings on every hand on the ground that its astronomical ideas are primitive, childish and impossible. But it is plain that such a singer betrays the ignorance of the one indulging in it. Even granting that the Copernican system is correct, it would still remain the fact that the Bible is the only authority which has handed down from antiquity an astronomical system which is as competent as the system of Coperericus to explain the celestial movements on perfectly rational mechanical and mathematical principles. Tycho Brahe undoubtedly had the Biblical system in view in forming his own judgment, and simply stated it in the terms of astronomical science, calling attention to its competency to account for all the known facts. But the believer in the inspiration of the Bible can entertain the further proposition: What if the Biblical system is, after all, the true one, since modern science cannot impeach its competency, although a rival theory has been given the place of honor in all text-books? One so bold as to reason thus might be considered singular in venturing to hold an opinion contrary to a universal consensus of opinion; but all the scientists in the world, with our present knowledge, could not demonstrate the absurdity of his opinion, nor show it to be less plausible than the popular one. to concede, unless willing to expose himse to a complete refutation on simple geometric

one.

Second—But a reconsideration of Tycho's theory would also have an interest for scientists at this time could they free themselves from bias sufficiently to examine a theory seriously which is rejected by the common voice. But few men are free from the tyranny of scientific is rejected by the common voice. But few men are free from the tyranny of scientific orthodoxy on such a subject, and whatever the inherent dignity of an hypothesis, derived from the fact that it involves no scientific absurdity, few minds will consider it if it contravenes any popular dogma. Yet progress in scientific knowledge has often been made by just such bold independence of judgment. Why should scientists now seriously consider Tycho's theory? Because the current theory presents difficulties which have remained insoluble since the days of Laplace.

(a) Prof. H. Seeliger, of Munich, Germany, and Dr. Carl Neumann have independently arrived at mathematical demonstrations that Newton's law of universal gravitation cannot be an exact law of nature in case either (1) that the sum total of the masses of the universe is infinitely great, or (2) that we conceive of the ether of space as consisting of a homogeneous distribution of the matter. Their conclusions, recently accepted by most mathematical scientists, have added to the uneasiness regarding Newton's law which has been developing for some years.

(b) Discrepancies between the Newtonian theory and observation in the cases of the earth, the moon, Mercury, Venus and Mars, with the phenomenon of repulsion, in place of attraction, in the case of the tails of comets approaching or receding from the sun, have presented problems which now at length have caused

the moon, Mercury, Venus and Mars, with the phenomenon of repulsion, in place of attraction, in the case of the tails of comets approaching or receding from the sun, have presented problems which now at length have caused an undercurrent of scepticism among astronomers themselves. Popular allusions to this will be found in two articles by well-known American astronomers (Prof. Asaph Hall, in Popular Astronomy, May 1897: Prof. Simon Newcomb, in McCiure's Magazine, July, 1899).

(c) Our knowledge of the atoms and molecules of matter is still too vague, perhaps, to enable even a mind with the requisite genius to formulate some comprehensive law, the various applications of which will explain on a common basis all the phenomena of matter, as embraced by chemistry, physics and astronomy. But already the researches of chemists and electrical experimenters have forced us to conceive of matter as possessing properties altogether different from the properties which Newton attributed to his atoms of matter, every particle of which he conceived to be attracted by and to attract every other particle in the universe. The bearing of our present knowledge of the properties of the atom and the molecule, upon the tenability of Newton's conception of universal gravitation between particles, has scarcely been seriously studied as yet by any sclentists themselves, is already in evidence. Prof. Henry A. Rowland's address as President of the Physical Society of America, delivered Oct. 28, 1899, and printed in the American Journal of Science, for December, 1899, is a case in point. He merely sums up, in a popular way, the feeling of scepticism respecting accepted scientific theories which has been in evidence liere and there for some time in the writings of specialists on the physical sciences. In illustration of his assertion that agnosticism toward all scientific theories, which has been in evidence liere and there for some time in the writings of specialists on the physical way the complete rejection, he cites Newton's law of grav

during the day. Mr. Duniap grew worse and from S colock in the morning until the hour of his death he sank rapidly. Br. John A. Wyeth A. close friend of the family, said to night that the close friend of the family, said to night that the close friend of the family, said to night that the close friend of the family, said to night that the close friend of the family, said to night that the close of the end. No autopsy was deemed in his suddenness of the end. No autopsy was deemed necessary DIFFERENT FROM ANSONIA.

The Attractions of Coney Island Cause Lyman Hayes to Lose His Aunt.

A well-dressed boy about fourteen years old appealed to the City Hall police last night for advice. He said he was Lyman Hayes of Ansonia, Conn., and had come here with an aunt. They had left Ansonia in the morning on the iron steamboat Sirius with an excursion to Coney Island. At the island Lyman and his aunt soparated, intending to meet again on the boat. But the boy found so many things that were vary different from the things in Ansonia that he lost all track of time. When he did realize that it was setting late he found that the boat was far out in the stream.

He came to New York by trolley intending to find some means of getting home. He had so cents, which was not enough to buy a railroad ticket home. Then he thought of taking the boat to Bridgeport and the trolley from thereon. He found that the boat was far out in the stream.

He came to New York by trolley intending to find some means of getting home. He had so cents, which was not enough to buy a railroad ticket home. Then he thought of the head to Bridgeport and the trolley from thereon. He found that he couldn't make connection with the trolley. Then he went to the police. He was taken to the Bureau of Information. The police there sent a despatch to the morning. Laha Berbarossa Alsatia Pinner's Point Lampasas Fl Rio Bulgaria.....Vienna......Georgian.....

must eventually be conquered by experimental facts, if the two cannot be reconciled. I have no hope of the possibility of such a reconciliation. Therefore, I take my stand with the chemist and his method, in contrast with that of the theorizing astronomer and physicist; and I believe that the hypothesis of universal attraction is hopelessly doomed.

J. W. DE P.

ROSE HILL, Tivoli P. O., Dutchess county, N. Y., July 25.

William Gerhardt, 24 years old, a lineman

LINEMAN KILLED BY A SHOCK. William Gerhardt Received the Full Current From the Trolley Feed Wire.

employed by the New York and New Jersey Telephone Company, was killed by an electric shock at 5 o'clock yesterday afternoon. He was stringing wires at Seventh avenue and Ninth street, Brooklyn. At this crossing there is a network of telephone, telegraph, electric light and trolley wires. Gerhardt was seated on one of the crossbars of a telephone pole, connecting a copper wire to the telephone trunk line for a new subscriber. His legs were locked around the telephone pole. While

trunk line for a new subscriber. His legs were locked around the telephone pole. While he was leaning over the copper wire slackened and came in contact with a bare trolley feed wire, the rubber insulation having worn out. Instantly the electricity was carried from the trolley wire through the copper wire to Gerhardt who received the shock. He dropped the copper wire and fell backward, but his legs remained locked around the pole.

John Quigley of 109 Rogers avenue and Bernard O'Brien of 131 Harrison street, who were assisting Gerhardt, at once realized what had happened. A policeman was notified and an ambulance was summoned from the Seney Hospital. A large crowd collected and watched proceedings while Gerhardt remained in the air, hanging from the crossbar. Quigley grabbed a rope and climbed the pole. He found Gerhardt unconscious. He tied the rope around Gerhardt's waist and threw the other end over the crossbar. O'Brien and several citizens caught it. Quigley then forced Gerhardt's legs from the pole and he was lowered slowly to the street.

Surgeon Humpstone had arrived by this time and Gerhardt was placed in the ambulance. He died before reaching the hospital which was only a few blocks away. He did not regain consciousness. The planns of both hands were slightly burned. The linemen said that fully 2,000 volts passed through Gerhardt at the time he received the shock. He had been in the employ of the telephone company about a year and lived with his mother, a widow, at 240 Humboldt street. The body was removed there later at night.

M'KINLEY BACK IN CANTON.

The President Reaches His Home After His Brief Trip to Washington.

CANTON, Ohio, Aug. 4.—President McKinley s again in his Canton home. He arrived this morning on the regular train of the Pennsylvania Railroad. He shared his car with Secretary Cortelyou and Comptroller of the Currency Dawes. There was no reception committee nor anything else in honor of his arrival, the time of which had not been definitely announced. His own carriage was at the station to meet him and he hurried to the North Market street house. Scarcely waiting for the team to stop, he climbed over Mr. Dawes and hurried in to see Mrs. McKinley, who had been anxiously waiting his arrival for an hour, the train having been nearly that much late.

Apparently no important affairs of state came up during the hours of his journey, for there was no line of messengers awaiting him as on the occasion of his last return from Washington, and whatever mait and telegrams had accumulated did not keep him long, for he was soon on the porch receiving callers just as he did before he left. Of the callers, there was nearly the usual number, some of whom had been waiting a day or two for his return and others who had watched closely for the hour of his arrival. Some wanted aid in pension matters and some executive assistance in other personal matters and many merely wanted had announced. His own carriage was at the stapersonal matters and many merely wanted a chance to shake hands. Conspicuous among the chance to shake hands. Conspicuous among the latter were a number of workingmenfrom Akron, who held a picnic at a resort near the city. They did not call in a body, but many of them went up to the house in pairs and trios.

Mr. Dawes returned to Washington this evening. He probably made the trip to talk over some matters with the President, but says there was no significance in his flying visit. He called on Judge Day during the afternoon.

OBITUARY.

Lewis F. Wright, 5t years old, died of pneumonia yesterday at his home, 36 Bodine street West New Brighton, Staten Island. He was west New Brighton, Staten Island. He was an active volunteer fireman for many years, and was at one time assistant chief of the North Shore department. At the time of his death he was a privileged exempt member of Washington Engine Company No. 1. Before Staten Island was made part of Greater New York he served two three-year terms as school trustee of Port Richmond, acting as secretary to the board. A widow, one son and a daughter survive him.

survive him. William D. Gardner, who died at his summer william D. Garaner, who died at his summer home at Ocean Grove on Friday night, was one of the best-known residents of Philadelphia, where he was President of the Sixth National Bank and Treasurer of the City Board of Charities. He was born in Philadelphia on July 18, 1828, was educated in the public schools and after graduation entered a carriage manufactory. Later he embarked in that business himself and became wealthy.

himself and became wealthy.

Mrs. Elizabeth Ellsworth Sperry, wife of former Congressman Sperry, died at her home in East Windsor Hill, Conn., on Friday night, after an illness of six months. She was 51 years old and was related to some of the oldest families in New England.

Mrs. Carrie A. Lane, for fourteen years matron for the Home for Incurables at Fordham, died yesterda, at the home of her sister, Mrs. A. J. Best, at Mount Vernon. Apgustus Thomas a School Commissioner.

NEW ROCHELLE, Aug. 4 .- Mayor M. J. Dillon announced to-day the appointment of Augustus Thomas, the playwright, as a member of the Board of Education. Mr. Thomas has agreed to accept the place.

MARINE INTELLIGENCE. MINIATURE ALMANAC-THIS DAY. Sun rises 4:59 | Sun sets .. 7:12 | Moon sets.. 12:00 HIGH WATER-THIS DAY.

Arrived-SATURDAY, Aug. 4 Arrived—SATURDAY, Aug. 4
Ss Campania, Walker, Liverpool, July 25.
Ss New York, Roberts, Southampton, July 23.
Ss Marengo, Bingham, Newcastle, July 10.
Ss Borderer, Hay, Lisbon, July 20.
Ss Tuscarora, Payne, London, July 22.
Ss Vigilancia. Reynolds, Campeche, July 20.
Ss Jamestown, Davis, Norfolk, Aug. 3.
Shlp Theodore Fischer, Von Harten, Portishead, June 22.

ARRIVED OUT. Sa Pretoria, from New York, at Hamburg.
Ss Southwark, from New York, at Antwerp.
Ss Cevia, from New York at Liverpool.
Ss Lucania, from New York at Liverpool.
Ss Ems, from New York, at Naples. SAILED PROM FOREIGN PORTS

8s Auguste Victoria, from Cherbourg for New York.
8s Etruria from Liverpool for New York.
8s St. Paul, from Southampton for New York.
8s Noordland, from Antwerp for New York,
8s Koenigin Luise, from Bremen for New York,
8s Laurentian, from Glasgow for New York.
8s Laurentian, from Glasgow for New York.
8s Mesaba, from London for New York. Sall To-morrow. Mails Close. Katser W. der Grosse, 7 00 A M Bremen 9 30 A M Sall Tuesday, Aug. 7.

INCOMING STRAMSHIPS Due To day.St Lucta.. Hamburg. Caracas..... Proteus...... Rio Grande.... Due Tuesday, Aug. 7. Brooklyn City. Swansea Gibraltar Colon July 25 Due Wednesday, Aug. 8.

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DIED

BROUGHTON .- On Friday. Aug. 3, 1900, Catherine E. Broughton. Funeral services will be held at Presbyterian church, corner University pl. and 10th at. on Monday, Aug. 6, 1900, at 10 A. M. DUNLAP .- At Monmouth Beach, N. J., suddenly

on Friday. Aug. 3, 1990, Robert, beloved hus band of Amelia N. Dunlap, in the 66th year of Funeral services will be held in St. Thomas's Church.

53d st. and 5th av., on Monday. Aug. 6, 1900, at 12 o'clock. Interment at Woodlawn at con venience of family.

POOR .- At Liverpool, on Sunday morning, July 29, 1900, Edward Erie Poor, in his 64th year. Notice of funeral later. RIVES. - At London, England, July 24, 1900

Elizabeth Emlen, wife of George Barelay Rives and daughter of James Montgomery Hare. Services at Grace Church on Monday, Aug. 6, 1900, at 11 A. M. THOMAS .- At the Westminster, Boston, on Friday

Aug. 3, 1900, after a short illness. Helen M., widow of the late Richard S. Thomas of Illinois. in the 75th year of her age. Funeral from St. John's Church, Boonton, N. J. on Monday, Aug. 6, 1900, at 2:30 P. M. Carriages will meet D., L. & W. trains leaving Christopher st. and Barclay st. ferries at 1:10 P. M. Chicago papers please copy.

THE KENSICO CEMETERY —Private station, Har-lem Railroad: 43 minutes ride from the Grand Central Depot. Office, 1d East 42d st.

Religious Hotices.

HOLY TRINITY CHURCH, NEW YORK—Lengt ev and 122d st. Rev. H.P. Menoly, pastor; 11 A.M., with field Commu for at 8 P.M. The rector will preach at morning and evening

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new rector, preaches his first sermon at 11 stellocia